

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

IN RE:	)	
	)	
ITT EDUCATIONAL SERVICES, INC., <i>et al.</i> <sup>1</sup>	)	Case No. 16-07207-JMC-7A
	)	
<u>Debtors.</u>	)	Jointly Administered
	)	
DEBORAH J. CARUSO, TRUSTEE FOR ITT	)	
EDUCATIONAL SERVICES, INC., <i>et al.</i> ,	)	
	)	
Plaintiff,	)	
	)	Adversary Proceeding No. 16-50318
v.	)	
	)	
SECURITIES AND EXCHANGE COMMISSION,	)	
CONSUMER FINANCIAL PROTECTION	)	
BUREAU, MAURA T. HEALEY, in her capacity	)	
as the Attorney General of the Commonwealth of	)	
Massachusetts, HECTOR H. BALDERAS, JR.,	)	
in his capacity as the Attorney General of the State	)	
of New Mexico, TERRI L. BURTON, RAYMOND	)	
BRINEY, RODFORD SEABOLT, DALISHA K.	)	
ALDRIDGE, KAYLA SCIFRES, THERESA	)	
WINTERS, NICOLE AKERLEY, and	)	
JOHN/JANE DOES 1-10,	)	
	)	
Defendants.	)	

**NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE**

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 41 (a)(1)(A)(i), made applicable to this proceeding pursuant to Fed. R. Bankr. P. 7041, Deborah J. Caruso, the chapter 7 trustee in the bankruptcy cases of ITT Educational Services, Inc. and its affiliated debtors and the Plaintiff in the above-captioned action (the “Adversary Proceeding”), voluntarily dismisses this Adversary Proceeding against Defendants MAURA T. HEALEY, in her capacity as the

---

<sup>1</sup> The debtors in these cases, along with the last four digits of their respective federal tax identification numbers are ITT Educational Services, Inc. [1311]; ESI Service Corp. [2117]; and Daniel Webster College, Inc. [5980].

Attorney General of the Commonwealth of Massachusetts, and HECTOR H. BALDERAS, Jr., in his capacity as the Attorney General of the State of New Mexico, both without prejudice.

Respectfully submitted,

/s/ Meredith R. Theisen

Deborah J. Caruso (Atty. No. 4273-49)  
Meredith R. Theisen (Atty. No. 28804-49)  
**RUBIN & LEVIN, P.C.**  
135 N. Pennsylvania Street, Suite 1400  
Indianapolis, Indiana 46204  
Telephone: (317) 634-0300  
Facsimile: (317) 263-9411

*Counsel to the Trustee*

### **CERTIFICATE OF SERVICE**

I hereby certify that on November 28, 2022, a copy of the foregoing *Notice of Voluntary Dismissal without Prejudice* was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

James David Ballinger jim@kentuckytrial.com, jennifer@kentuckytrial.com  
Deborah Caruso dcaruso@rubin-levin.net, dwright@rubin-levin.net;cgilly@rubin-levin.net;atty\_dcaruso@bluestylus.com  
Elaine Victoria Fenna elaine.fenna@morganlewis.com  
Lisa Giandomenico lgiandomenico@nmag.gov  
John C. Hoard johnh@rubin-levin.net, lking@rubin-levin.net;atty\_jch@trustesolutions.com;sturpin@rubin-levin.net  
Diana Hooley diana.hooley@state.ma.us  
James C Jacobsen jjacobsen@nmag.gov, eheltman@nmag.gov  
Timothy Q. Karcher tkarcher@proskauer.com  
Jeff J. Marwil jmarwil@proskauer.com  
Rachel Jaffe Mauceri rmauceri@rc.com  
Maureen Elin McOwen molly.mcowen@cfpb.gov  
Thomas E Mixdorf thomas.mixdorf@icemiller.com, brandy.matney@icemiller.com  
Jonathan Hjalmer Reischl jonathan.reischl@cfpb.gov  
James E Rossow jim@rubin-levin.net, mralph@rubin-levin.net;ATTY\_JER@trustesolutions.com  
Meredith R. Theisen mtheisen@rubin-levin.net, dwright@rubin-levin.net;mcruser@rubin-levin.net  
U.S. Trustee ustpreregion10.in.ecf@usdoj.gov  
Philip A. Whistler philip.whistler@icemiller.com, holly.minnis@icemiller.com  
Cathleen Dianne Wyatt cwyatt@fbtlaw.com, tacton@fbtlaw.com

Philip A. Whistler philip.whistler@icemiller.com, holly.minnis@icemiller.com  
Cathleen Dianne Wyatt cwyatt@fbtlaw.com, tacton@fbtlaw.com

/s/ Meredith R. Theisen  
Meredith R. Theisen